

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:21-CV-00302-MOC-SCR**

CONTROLS SOUTHEAST, INC.,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
QMAX INDUSTRIES, INC.,)	
THOMAS W. PERRY,)	
)	
Defendants.)	

THIS MATTER is before the Court after review of Defendants’ “Motion to Compel Compliance with Stipulated Protective Order” (Doc. No. 49) and Plaintiff’s “Motion to Compel” (Doc. No. 58), as well as the parties’ associated briefs and exhibits (Doc. No. 50, 51, 53, 55, 57, 58-1 through 58-9, 59, 60, 62, and 64).

In their Motion, Defendants state that Plaintiff has produced 6,624 documents in response to their First Set of Requests for Production. Of those documents, 6,623 were marked “Highly Confidential – Attorneys’ Eyes Only.” Doc. No. 49 at 2. Defendants seek an order compelling Plaintiff “to reproduce its responsive documents to [Defendants] with confidentiality designations applied on an individualized, good faith basis.” Id.

Plaintiff seeks an order compelling Defendants to make complete supplemental responses to its Interrogatory Nos. 1, 3, 4, 5, 7, 8, and 10 and produce documents in response to Request for Production Nos. 3, 5, 9, 12-14, 28, 29, 36, 38-51, 54-55, and 57-59. Doc. No. 58 at 1.

It appears that rather than meet and confer in a meaningful process designed to eliminate all but the most intractable disputes, the parties have simply handed all of their disputes, notably

at least 35 disputed requests, to the Court. It also appears that the parties may not be adhering to the discovery limits stated in the Pretrial Order and Case Management Plan. Doc. No. 38 at 1-2.

In the interests of judicial efficiency, the Court **ORDERS** the parties to meet and confer in a good faith effort to resolve their disputes and, at the very least, narrow the disputed issues before the Court and ensure compliance with the Court's Pretrial Order and Case Management Plan. On or before May 19, 2023, the parties shall file a status report no more than two pages in length stating which disputes have been resolved and which remain for the Court.

The Clerk is directed to send copies of this Order to counsel for the parties and to the Honorable Max O. Cogburn, Jr..

SO ORDERED.

Signed: May 15, 2023



Susan C. Rodriguez
United States Magistrate Judge

